

**Sterne Kessler
Goldstein Fox**
ATTORNEYS AT LAW



Robert Greene Sterne
Jorge A. Goldstein
David K.S. Cornwell
Robert W. Esmond
Tracy-Gene G. Durkin
Michele A. Cimbala
Michael B. Ray
Robert E. Sokohl
Eric K. Steffe
Michael Q. Lee
John M. Covert
Robert C. Millonig
Donald J. Featherstone
Timothy J. Shea, Jr
Michael V. Messinger
Judith U. Kim
Jeffrey T. Helvey

Eldora L. Ellison
Donald R. Banowitz
Peter A. Jackman
Brian J. Del Buono
Mark Fox Evens
Vincent L. Capuano
Elizabeth J. Haanes
Michael D. Specht
Kevin W. McCabe
Edward W. Yee
Virgil Lee Beaton
Theodore A. Wood
Joseph S. Ostroff
Jason D. Eisenberg
Tracy L. Muller
Jon E. Wright
LuAnne M. DeSantis

Ann E. Summerfield
Helene C. Carlson
Cynthia M. Bouchez
Timothy A. Doyle
Gabby L. Longworth
Lori A. Gordon
Laura A. Vogel
Bryan S. Wade
Bashir M.S. Ali
Shannon A. Carroll
Anbar F. Khal
Michelle K. Holoubek
Marsha A. Rose
Scott A. Schaller
Lei Zhou
Young Tang
Christopher J. Walsh

W. Blake Coblenz*
James J. Pohl
John T. Haran
Mark W. Rygiel
Michael R. Malek*
Carla Ji-Eun Kim
Doyle A. Siever*
Alexandra K. Pechhold
C. Matthew Rozier*
Robert A. Schwartzman
Bryan L. Skelton*
Ulrike Winkler

Registered Patent Agents*
Karen R. Markowicz
Matthew J. Dowd
Katrina Yujian Pei Quach
Julie A. Heider

Mita Mukherjee
Scott M. Woodhouse
Peter A. Socarras
Jeffrey K. Mills
Danielle L. Letting
Lori Brandes
Steven C. Oppenheimer
Aaron S. Lukas
Gaurav Asthana

Of Counsel
Edward J. Kessler
Kenneth C. Bass III
Marvin C. Guthrie

*Admitted only in Maryland
*Admitted only in Virginia
*Practice Limited to
Federal Agencies

March 27, 2007

WRITER'S DIRECT NUMBER:
(202) 772-8846
INTERNET ADDRESS:
PCALVO@SKGF.COM

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Attn: Mail Stop Issue Fee

Re: Allowed U.S. Utility Patent Application
Application No. 09/557,907; Filed: April 21, 2000
For: **Methods for Treating Cancer Using
Cytokine-Expressing Polynucleotides**
Inventors: HORTON *et al.*
Our Ref: 1530.0060004/EJH/PAC

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Copy of Notice to File Corrected Application Papers;
2. Response to Notice to File Corrected Application Papers and Submission of Drawings;
3. Ten (10) pages of Replacement drawings (Figures 21, 22A, 22B, 22C-22D, 23-26, 27A-27B and 28); and
4. Return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Paul A. Calvo
Attorney for Applicants
Registration No. 57,913

EJH/PAC:dbj
Enclosures

Sterne, Kessler, Goldstein & Fox P.L.L.C. : 1100 New York Avenue, NW : Washington, DC 20005 : 202.371.2600 f 202.371.2540 : www.skpf.com

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UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Serial No. : 09/557,907
Applicant : Horton et al.
Filing Date : 4/21/00
Date Mailed : 2/6/07

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Notice of Allowance Mailed

This application has been accorded an Allowance Date and is being prepared for issuance. The application, however, is incomplete for the reasons below.

Applicant is given 60 days from the mail date of this Notice within which to correct the informalities indicated below. If the informality pertains to the abstract, specification (including claims) or drawings, the informality must be corrected with an amendment in compliance with 37 CFR 1.121 (or, if the application is a reissue application, 37 CFR 1.173). Such an amendment may be filed after payment of the issue fee if limited to correction of informalities noted herein. See Waiver of 37 CFR 1.312 for Documents Required by the Office of Patent Publication, 1280 Off. Gaz. Patent Office 918 (March 23, 2004). In addition, if the informality is not corrected until after payment of the issue fee, for purposes of 35 U.S.C. 154(b)(1)(iv), "all outstanding requirements" will be considered to have been satisfied when the informality has been corrected. A failure to reply will result in the application being ABANDONED. **This period for reply is NOT extendable under 37 CFR 1.136(a).**

See attachment.

*A copy of this notice **MUST** be returned with the reply. Please address response to
"Mail Stop Issue Fee, Commissioner for Patents,
P.O. Box 1450, Alexandria, VA 22313-1450".*

Dale G. Olson
Office of Patent Publication
Phone: 703-308-9250 ext.122

Application No. 09/557,907 Drawings filed 4-21-00

IDENTIFICATION OF DRAWING DEFICIENCIES

- ☐ There is a hole or the image thereof within the illustration. FIG(s) _____
- ☐ The character of the lines, numbers and letters is poor. FIG(s) _____
- ☐ The illustration is penetrated or traversed by a solid or broken line that is not intended to be part of the drawing, such as a dark line caused by a flaw in the copying process. FIG(s) _____
- ☐ An ink stamp or an image obscures part of the illustration. FIG(s) _____
- ☐ The drawing is marred by black smudges, obliterations, or fax/copier marks. FIG(s) _____
- ☐ Figure numbers are duplicated or missing. FIG(s) _____
- ☒ Numbers, letters, or reference characters in the drawing have been crossed out by hand or are illegibly handwritten. FIG(s) 21-28
- ☐ The drawing's background shows that the original drawing was made on graph paper or other paper with a pattern or decoration. FIG(s) _____
- ☐ The FIG. number label is placed in a location that causes the drawing to be read upside down. FIG(s) _____
- ☒ Data, a reference number, or part of the drawing is truncated or missing. FIG(s) 26 left margin
- ☐ The drawing is continued onto a second page (or more) without proper labeling under 37 CFR 1.81(u)(1). FIG(s) _____
- ☐ The drawing and/or the FIG. label contain(s) foreign language. FIG(s) _____
- ☐ Color drawings are present in this application but the following CFR 1.84 (a) requirements have not been met*:
 - ☐ Petition filed
 - ☐ Petition fee
 - ☐ 3 sets of color drawings
 - ☐ Color drawing paragraph

*If color drawings are not elected, then applicant **must respond** so stating. Also, references to color drawings in the specification, if any, must be amended.

COMMENTS:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

HORTON *et al.*

Appl. No.: 09/557,907

Filed: April 21, 2000

For: **Methods for Treating Cancer Using
Cytokine-Expressing Polynucleotides**

Confirmation No.: 9397

Art Unit: 1632

Examiner: Michael C. WILSON

Atty. Docket: 1530.0060004/EJH/PAC

**Response to Notice to File Corrected
Application Papers and Submission of Drawings**

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Mail Stop Issue Fee

Sir:

In response to the Notice to File Corrected Application Papers (copy enclosed), submitted herewith are ten (10) sheets of Replacement drawings with Figures 21, 22A, 22B, 22C-22D, 23-26, 27A-27B and 28, corresponding to the above-captioned application. Identification of the drawings is provided in accordance with 37 C.F.R. § 1.84(c). Acknowledgment of the receipt, approval, and entry of these drawings into this application is respectfully requested.

It is not believed that an extension of time is required, other than any already provided herewith. However, if an extension of time is needed to prevent abandonment of the application, then such extension of time is hereby petitioned. The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Paul A. Calvo
Attorney for Applicants
Registration No. 57,913

Date: 3/27/07

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600